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**BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING**

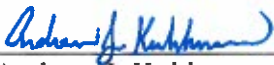
**IN THE MATTER OF THE APPEAL OF)
THE RENEWAL BOND AMOUNT FOR) EQC DOCKET NO. 16-4601
BENTONITE MINING PERMIT NO. 624)**

DEQ'S MOTION TO DISMISS

Respondent, the State of Wyoming, Department of Environmental Quality, through its undersigned counsel, under Wyo. R. Civ. P. 12(b)(1) and 12(h)(3) and the Environmental Quality Council Rules, Chapter II, Sections 3 and 14, moves the Environmental Quality Council to dismiss the petition, *Appeal of Department of Environmental Quality's Determination of Renewal Bond Amount for Bentonite Mining Permit No. 624 and Request for Hearing* (Petition), filed by Good Bentonite Company, LLC (GBC), for lack of subject matter jurisdiction. The grounds for this motion are set forth in the *DEQ's Memorandum in Support of Motion to Dismiss*, which is filed with this motion.

The Department respectfully requests that the Council enter an order dismissing the Petition and providing such other and further relief as the Council deems appropriate.

DATED this 26th day of May 2016.



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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of May, 2016, a true and correct copy of the foregoing document was filed electronically with the Wyoming Environmental Quality Council's online docket system and served electronically through that system on the following:

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